

Notice of Allowability

Application No.

09/390,497

Examiner

Daniel Swerdlow

Applicant(s)

HOFFER ET AL.

Art Unit

2646

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 31 May 2005.
2. ☒ The allowed claim(s) is/are 1-3,5-10,12 and 13.
3. ☒ The drawings filed on 03 February 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:
2. Claim 1 claims a communications system comprising at least one subscriber terminal having an input for inputting call numbers. Ozeki discloses a facsimile terminal that corresponds to the subscriber terminal claimed and has operation keys for input of a subscriber's number (i.e., an input for inputting call numbers) (paragraph 0006). Claim 1 further claims a subscriber line unit including a coding device, a filter unit, an analog-digital/digital analog converter, an amplifier unit and an impedance matching unit. Ozeki discloses a modem section (Fig. 1, reference 11; paragraph 0007) that corresponds to the analog-digital/digital analog converter claimed, a code/decrypt section (Fig. 1, reference 7; paragraph 0006) that corresponds to the coding device claimed, transmitting level adjustment (paragraph 11) that corresponds to the amplifier unit claimed. In addition, impedance matching and filtering are well-known in facsimile machines. Claim 1 further claims a recognition unit for recognizing a particular call number pattern and outputting control signals corresponding to a call number pattern. Ozeki discloses recognition of a previously contacted telephone number (Fig. 4, reference 101; paragraph 0011) that inherently includes a recognition unit and initiating action based on that recognition (Fig. 4, reference 103; paragraph 0011) that inherently includes outputting corresponding control signals. Claim 1 further claims a control unit connected between the recognition unit and the subscriber line unit for adjusting a coding characteristic of the coding device, a frequency response of the filter, a conversion characteristic of the converter, a gain/attenuation of the amplifier and an impedance of the impedance matching unit in dependence on the control signals from the recognition unit. Ozeki discloses setting transmitting

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level and transmission speed (i.e., gain/attenuation and coding characteristics) based on the called telephone number (abstract) that inherently includes control by signals from a recognition unit. However, Ozeki does not disclose adjusting a frequency response of a filter, a conversion characteristic of a converter, or an impedance of an impedance matching unit in dependence on the control signals from the recognition unit.

3. US Patent 5,802,164 to Clancy et al. discloses a telephone system that selectively applies speech signal enhancement based on dialed telephone number (Fig. 1, reference 119; column 6, lines 7-14 and 54-62). As such, Clancy discloses adjusting a frequency response of a filter based on control signals corresponding to a recognized particular call number pattern. However, because speech enhancement has no use in a facsimile apparatus, there is no motivation to combine the teaching of Clancy with the apparatus disclosed in Ozeki.

4. US Patent 4,057,695 to Ohno discloses application of gain based on called number (Fig. 1, reference 108; column 3, lines 20-26; column 4, lines 1-4), but does not teach control of the other claimed parameters.

5. US Patent 6,061,431 to Knappe et al. discloses adjustment of frequency shaping and gain based on dialed number (Fig. 2, reference 50, 52; column 3, lines 38-45), but does not teach control of the other claimed parameters. Knappe is prior art for this application owing to the absence of a certified English translation of applicant's German priority document.

6. As shown above, the prior art fails to disclose all elements of the claimed invention. As such, Claim 1 is allowable.

7. Claim 8 is essentially similar to Claim 1 and is allowable for the same reasons.

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8. Claims 2, 3, 5 through 7, 9, 10, 12 and 13 are allowable due to dependence from their respective base claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Swerdlow whose telephone number is 571-272-7531. The examiner can normally be reached on Monday through Friday between 7:30 AM and 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh H. Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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21 July 2005



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SUPERVISORY PATENT EXAMINER